

AN ORDINANCE for the purpose of
vacating a dedicated easement.

WHEREAS, a petition to vacate a dedicated easement within
the City of Fort Wayne (as more specifically described below)
was duly filed with the City Planning Commission; and

WHEREAS, said Commission duly held a public hearing
thereon; and

WHEREAS, said Commission has duly forwarded its
recommendation to this body approving said petition, all in
accordance with I.C. 36-7-4-512(2) and this body having held
a public hearing on said vacation as provided in I.C. 36-7-4-
12; and

WHEREAS, this body concurs in the recommendation of the
City Planning Commission.

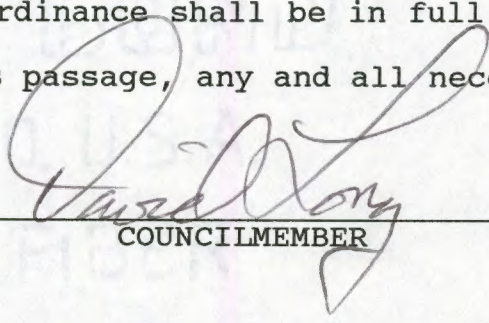
NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the petition filed herein to vacate a
dedicated easement within the City of Fort Wayne, more
specifically described as follows, to-wit:

A 13 foot easement over the previously vacated alley
(Declaratory Resolution #1212-68), lying immediately
North of Lot #85 in the Original Plat and lying
immediately South of Bank Subdivision as recorded in the
Plat thereof in the Office of the Recorder of Allen
County, Indiana.

and which vacating allows the dedicated easement to
revert to the ownership of the adjacent property owners.

SECTION 2. That this Ordinance shall be in full force
and effect from and after its passage, any and all necessary
approval by the Mayor.


COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:

J. Timothy McCaulay
J. TIMOTHY MCCAULAY, CITY ATTORNEY

** Public hearing to be held on Tuesday,
the 9th day of March, 1993,
in the Council Chambers.

Sandra E. Kennedy
Sandra E. Kennedy, City Clerk
Nedgato Eschoff, Deputy Clerk

Read the first time in full and on motion by Long,
and duly adopted, read the second time by title and referred to the
Committee on Regulation (and the City Plan Commission
for recommendation) and Public Hearing to be held after due legal notice, at
the Common Council Council Conference Room 128, City-County Building, Fort
Wayne, Indiana, on _____, the _____ day of
_____, 19____, at _____ o'clock
_____, M., E.S.T.

DATED: 1-26-93

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Parini,
and duly adopted, placed on its passage. PASSED ~~LOST~~
by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>9</u>			
BRADBURY	<u>✓</u>			
EDMONDS	<u>✓</u>			
GiaQUINTA	<u>✓</u>			
HENRY	<u>✓</u>			
LONG	<u>✓</u>			
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 3-9-93

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK
Nicholas Estep, Deputy Clerk

Passed and adopted by the Common Council of the City of Fort Wayne,

Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. H-08-93
on the 9th day of March, 1993

ATTEST:

(SEAL)

Sandra E. Kennedy

Mark C. GiaQuinta

SANDRA E. KENNEDY, CITY CLERK
Nicholas Estep, Deputy Clerk

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the 10th day of March, 1993,
at the hour of 11:30 o'clock A., M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK
Nicholas Estep, Deputy Clerk

Approved and signed by me this 10th day of March,
1993, at the hour of 11:35 o'clock A., M., E.S.T.

PAUL HELMKE
PAUL HELMKE, MAYOR

RECEIPT

No 10949

COMMUNITY & ECONOMIC DEVELOPMENT

FT. WAYNE, IND.,

12/23 1992

RECEIVED FROM

Burt, Blue Lyons & Sutton 50.00

THE SUM OF

One hundred & fifty 00/100 DOLLARS

ON ACCOUNT OF

Corement Vacation

2631

AUTHORIZED SIGNATURE

PAID BY: CASH ☐ CHECK ☒ M.O. ☐

Date Filed: December 23, 1992

Vacation Petition

I/We Standard Federal Bank
(Applicant's Name or Names)

PETITION TO VACATE Easement
Alley between Court and Clinton
(Street, Alley, Utility Easement, Plat,

Other)

TO: THE CITY PLAN COMMISSION
CITY OF FORT WAYNE, INDIANA

The undersigned petitioner(s), do (does) hereby respectfully
petition the Fort Wayne City Plan Commission to vacate the
following alley with the City of Fort
Wayne, Indiana, and hereby described as follows:

(see attached exhibit)

(Legal Description of property being vacated) If additional
space is needed use reverse side.)

In support thereof, your petitioner(s) would represent as
follows:

(List reasons for requesting vacation.)

1. No longer needed by the City of Fort Wayne.
2. Improve potential use of adjacent land.
3. Benefit to adjacent land without economic detriment
to community.

(If additional space is needed use reverse side.)

Your petitioner(s) file this petition pursuant to the authority
granted in Indiana Code, and provisions of local ordinance, in
order to complete the vacation as described.

WHEREFORE, your petitioner(s) pray that the above described
alley be vacated according to the provisions
of the Indiana Law pertaining thereto.

DATED THIS 23rd DAY OF December 19 92

STANDARD FEDERAL BANK
Adjacent Property Owner
Typed Name

Address Zip

Signature

STANDARD FEDERAL BANK
Adjacent Property Owner
Typed Name

Address Zip

Signature

Contact person: J. Philip Burt, Esquire, BURT, BLEE, DIXON & SUTTON,
P.O. Box 10810, Fort Wayne, Indiana 46854-0810
219-426-1300

Legal Description of Property:

Additional Reasons for Vacation Request:

Owners of Adjacent Property:

Adjacent Property Address/Zip
Owners TYPED Name

Signature

NOTICE:

FILING OF THIS APPLICATION GRANTS THE CITY OF FORT WAYNE PERMISSION TO POST "OFFICIAL NOTICE" ON THE PETITIONED PROPERTY.

FAILURE TO POST, OR TO MAINTAIN POSTING CAN PREVENT THE PUBLIC HEARING FROM BEING HELD.

This form is to be filed in duplicate.

STANDARD FEDERAL BANK

AGENT:

J. Philip Burt, Esquire

BURT, BLEE, DIXON & SUTTON

Name

1000 Standard Federal Plaza

200 East Main Street

Street Address

Fort Wayne, Indiana

46802

City/State/Zip

219-426-1300

Phone

LEGAL DESCRIPTION

Lot #1, Lot #2, Lot #3, Lot #4, Lot #5, and Lot #6 in Bank Subdivision of Lot #83 and Lot #84 of the Original Plat, Allen County, Indiana, as recorded in the Plat thereof in the Office of the Recorder of Allen County, Indiana, together with:

easement over the previously
A 13 foot vacated alley (Declaratory Resolution #1212-68), lying immediately North of Lot #85 in the Original Plat and lying immediately South of Bank Subdivision as recorded in the Plat thereof in the Office of the Recorder of Allen County, Indiana, ~~together with:~~

Lot #85, Lot #98, and Lot #99 except the North 32 feet of the West 75 feet; also including a 5 foot alley lying South of Lot #85 in the Original Plat, Allen County, Indiana, together with:

Lot #5 and Lot #6 in Tri-State Association Subdivision of Lot #100 of the Original Plat, Allen County, Indiana, as recorded in the Plat thereof in the Office of the Recorder of Allen County, Indiana.

The above described real estate is the same as follows:

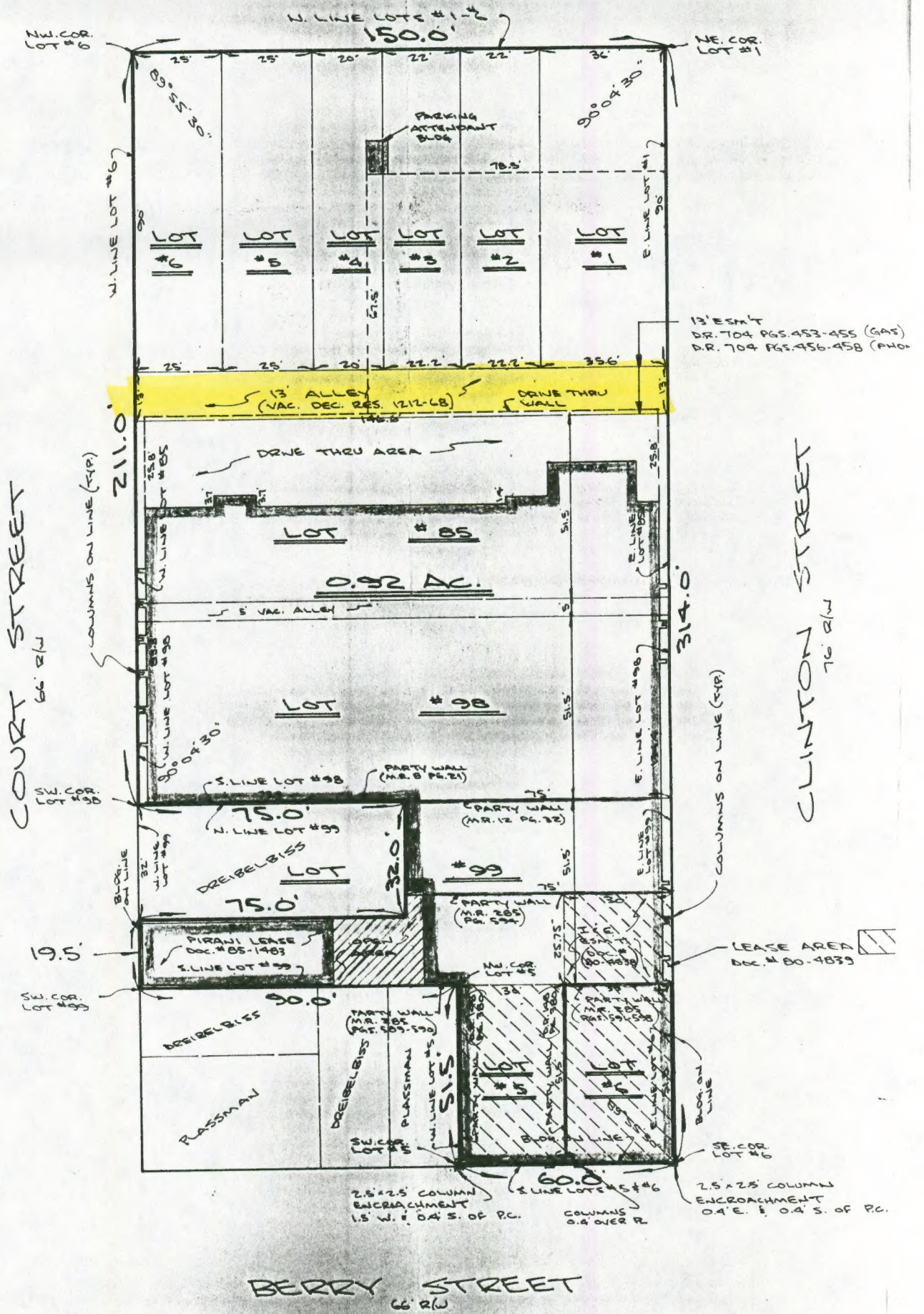
Part of Lots #1 - #6 in Bank Subdivision of Lot #83 and Lot #84 of the Original Plat, Allen County, Indiana; the vacated alley lying South of and adjacent to said Lots #1 - #6 in Bank Subdivision; part of Lots #85, #98, and #99 in the Original Plat, Allen County, Indiana, also including a 5 foot alley lying South of Lot #85; and part of Lots #5 and #6 in Tri-State Association Subdivision of Lot #100 of the Original Plat, Allen County, Indiana, as recorded in the Plats thereof in the Office of the Recorder of Allen County, Indiana, and all being more particularly described as follows:

Beginning at the Northeast corner of Lot #1 in Bank Subdivision of Lot #83 and Lot #84 of the Original Plat, Allen County, Indiana, as recorded in the Plat thereof in the Office of the Recorder of Allen County, Indiana; thence West along the North line of Lots #1 - #6 in said Bank Subdivision, a distance of 150.0 feet to the Northwest corner of Lot #6 in said Bank Subdivision; thence South along the West line of said Lot #6, along the West line of a 13 foot wide vacated alley (Declaratory Resolution 1212-68), and along the West line of Lots #85 and #98, and the 5 foot alley lying South of Lot #85, in the Original Plat, Allen County, Indiana, a distance of 211.0 feet to the Southwest corner of said Lot #98; thence East along the South line of said Lot #98, said line also being the North line of Lot #99 in said Original Plat, a distance of 75.0 feet; thence South and parallel to the West line of said Lot #99, a distance of 32.0 feet; thence West and parallel to the North line of said Lot #99, a distance of 75.0 feet to a point on the West line of said Lot #99; thence South along the West line of said Lot #99, a distance of 19.5 feet to the Southwest corner of said Lot #99; thence East along the South line of said Lot #99, a distance of 90.0 feet to the Northwest corner of Lot #5 in Tri-State Association Subdivision of Lot #100 of the Original Plat, Allen County, Indiana, as recorded in the Plat thereof in the Office of the Recorder of Allen County, Indiana; thence South along the West line of said Lot #5, a distance of 51.5 feet to the Southwest corner of said Lot #5; thence East along the South line of said Lot #5 and along the South line of Lot #6 in said Tri-State Association Subdivision, a distance of 60.0 feet to the Southeast corner of said Lot #6; thence North along the East line of said Lot #6, the East line of the aforesaid Lots #99, #98, #85 and the 5 foot alley lying South of Lot #85, along the East line of the aforementioned vacated alley, and along the East line of the aforesaid Lot #1 in Bank Subdivision, a distance of 314.0 feet to the point of beginning, containing 0.92 acres, subject to easements.

CERTIFICATION

The undersigned Civil Engineer and Land Surveyor hereby certifies to Standard Federal Bank, Three Rivers Title Company, and Richard Waterfield, that he has made a resurvey of the real estate shown and described herein. Measurements were made and corners perpetuated as shown in accordance with the true and established lines of the property described and also in conformity with the records in the Office of the Recorder of Allen County, Indiana. No encroachments existed except as noted on said survey.

MAIN STREET
20' R/W



RESOLUTION 80-108-3

WHEREAS, STANDARD FEDERAL BANK has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated utility easement situated in Fort Wayne, Allen County, to-wit:

A 13 foot easement over the previously vacated alley (Declaratory Resolution #1212-68), lying immediately North of Lot #85 in the Original Plat and lying immediately South of Bank Subdivision as recorded in the Plat thereof in the Office of the Recorder of Allen County, Indiana.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-12; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of dedicated utility easement has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said dedicated utility easement hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said dedicated utility easement hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of dedicated utility easement or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)

) SS:

COUNTY OF ALLEN)

I, Charles E. Layton, Director of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held

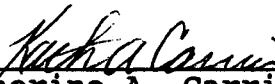
_____ and as same appears of record in the official records of the Board of Public Works.

DATED THIS 3 DAY OF FEBRUARY 1993


FORT WAYNE BOARD OF PUBLIC WORKS



Charles E. Layton
Director of Public Works



Katherine A. Carrier
Member, Board of Public Works



C. James Owen
Member, Board of Public Works

RESOLUTION

WHEREAS, STANDARD FEDERAL BANK has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated utility easement situated in Fort Wayne, Allen County, to-wit:

A 13 foot easement over the previously vacated alley (Declaratory Resolution #1212-68), lying immediately North of Lot #85 in the Original Plat and lying immediately South of Bank Subdivision as recorded in the Plat thereof in the Office of the Recorder of Allen County, Indiana.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-12; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on January 25, 1993 at 7:00 P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said dedicated utility easement.

WHEREAS, said vacation of dedicated utility easement has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated utility easement hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated utility easement hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said dedicated utility easement or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility

shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said dedicated utility easement in Allen County, Indiana.

STATE OF INDIANA)

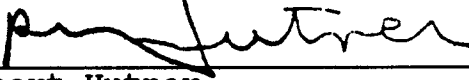
) SS:

COUNTY OF ALLEN)

I, Robert Hutner, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held, February 1, 1993 and as the same appears of record in the official records of said Plan Commission.

DATED THIS 2nd DAY OF February 1993

FORT WAYNE CITY PLAN COMMISSION



Robert Hutner
Secretary



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1208

SANDRA E. KENNEDY, CITY CLERK

February 17, 1993

Ms. Connie Lambert
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the date of February 20, 1993, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. G-92-08-10
Vacating a street and alley

Bill No. G-92-04-12
Vacating an alley

Bill No. G-92-04-13
Vacating an alley

Bill No. G-92-05-05
Vacating an alley

Bill No. G-93-01-20
Vacating an alley

Please send us 3 copies of the Publisher's Affidavit from the above from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 5



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1208

SANDRA E. KENNEDY, CITY CLERK

February 17, 1993

Phil Burt, Attorney
P.O. Box 10810
Fort Wayne, IN 46854-0810

NOTICE OF PUBLIC HEARING ON BILL NO. G-93-01-20

You are hereby notified that the Common Council of Fort Wayne will conduct a public hearing on Tuesday March 9, 1993, at 7:00 P.M. (EST) in the Common Council Conference Room 128, 1st Floor, City-County Building, One Main Street, Fort Wayne, Indiana, on the following:

Easement located between Clinton and Court Streets.
Vacation would allow for potential improvement of
the adjacent land without detriment to the
community - Councilmanic District #1

All interested persons are invited to appear and be heard. Any written material may be submitted to the Common Council prior to the hearing.

FORT WAYNE COMMON COUNCIL

Sandra E. Kennedy
City Clerk

NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
(BILL NO. G-93-01-20)

Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, March 9, 1993, at 7:00 P.M. (EST) in the Common Council Conference Room 128, City-County Building, One Main Street, Fort Wayne, Indiana, more particularly described as follows:

A 13 foot easement over the previously vacated alley (Declaratory Resolution #1212-68), lying immediately North of Lot #85 in the Original Plat and lying immediately South of Bank Subdivision as recorded in the Plat thereof in the Office of the Recorder of Allen County, Indiana - Councilmanic District #1

All interested parties are invited to appear and be heard.

Fort Wayne Common Council

Sandra E. Kennedy
City Clerk

From the Desk of:

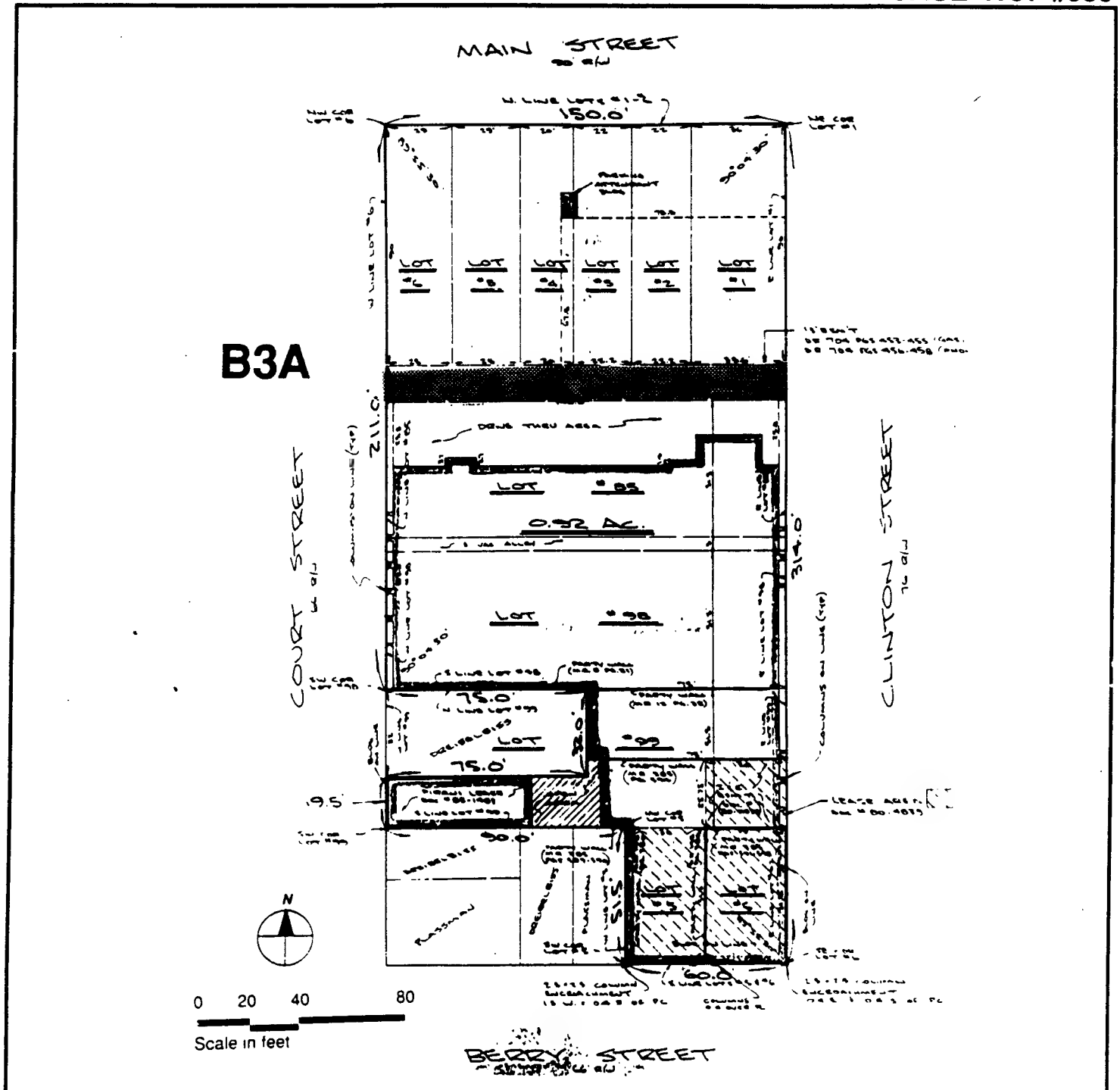
Pat Biancuiello

Phil Burt
P O Box 10810
FORT WAYNE IN 46854-0810

PHONE: 426-1300

AREA MAP

CASE NO. #530



COUNCILMANIC DISTRICT NO. 1

Map No. M-6
LW 12-28-92

R1	One-Family	B1	Limited Business	M1	Light Industrial
R2	Two-Family	B2	Planned Shopping Center	M2	General Industrial
R3	Multi-Family	B3	General Business	M3	Heavy Industrial
RA/RB	Residential	B4	Roadside Business	MHP	Mobile Home Park
PUD	Planned Unit Dev.	POD	Professional Office District		

Division of Community Development & Planning

BRIEF TITLE

Utility Easement Vacation

APPROVAL DEADLINE

REASON

DETAILS

Specific Location and/or Address

This easement is located between Clinton and Court Streets.

Reason for Project

Vacation would allow for potential improvement of the adjacent land without detriment to the community.

Discussion (Including relationship to other Council actions)

25 January 1993 - Public Hearing

Phil Burt, attorney for the petitioners stated that this was originally an alley that was vacated some 25 years ago. At the time of the vacation the alley was then dedicated for utility purposes. He stated that currently there are no utilities that use the easement, with the exception of GTE. He submitted a letter from GTE which stated that "GTE North Inc has a recorded easement that covers the same city easement that is to be vacated; therefore, GTE will not require an additional easement." He stated that if in the future the property owners wish to construct across the easement, they will have to work out the problems with GTE. He stated that staff has recommended conditional approval, contingent upon the relocation of these easements. He asked Commission to eliminate the words "contingent" and "conditional", for the reason that this easement will probably not surface for 8 or 9 years. He stated that in 8 or 9 years when they review the proceedings, GTE will state that the Commission approved the vacation contingent upon them relocating several million dollars worth of conduits,

POSITIONS

RECOMMENDATIONS

Sponsor

City Plan Commission

Area Affected

City Wide

Other Areas

Applicants/
ProponentsApplicant(s)
Standard Federal Bank

City Department

Other

Opponents

Groups or Individuals

Basis of Opposition

Staff
Recommendation☒ For ☐ Against

Reason Against

Board or
Commission
Recommendation

By

☒ For ☐ Against
☐ No Action Taken☐ For with revisions to conditions
(See Details column for conditions)CITY COUNCIL
ACTIONS
(For Council
use only)

☐ Pass ☐ Other
☐ Pass (as amended) ☐ Hold
☐ Council Sub. ☐ Do not pass

DETAILS

and that might put a cramp in any new construction. He stated that GTE has an easement there and they have facilities in the easement. He stated that some day if they have to move them they will address that question at the time. He stated that he felt it would be misleading to say that the approval was conditional or contingent upon the relocating of the easement.

There was no one else present who spoke in favor of or in opposition to the proposed vacation.

1 February 1993 - Business Meeting

Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation.

Of the seven (7) members present, six (6) voted in favor of the motion, one (1) did not vote.

Motion carried.

POLICY/ PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start

Date 23 December 1992

Projected Completion or Occupancy

Date 2 February 1993

Fact Sheet Prepared by

Date 2 February 1993

Patricia Biancaniello

Reviewed by

Date

4 FEBRUARY 1993

Reference or Case Number

#530

ORIGINAL

ORIGINAL

DIGEST SHEET

TITLE OF ORDINANCE Easement Vacation Ordinance

DEPARTMENT REQUESTING ORDINANCE Land Use Management - C&ED

SYNOPSIS OF ORDINANCE A 13 foot wide easement over the

previously vacated alley lying immediately north of Lot #85

in the Original Plat and lying immediately south of Bank

Subdivision. (Easement is south of Main Street between

Clinton & Court Street.)

9-93-01-20

EFFECT OF PASSAGE Property is currently a dedicated easement.

Property will be vacated and revert to the use of the adjacent

property owners.

EFFECT OF NON-PASSAGE Property will remain a dedicated

easement.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE) _____

BILL NO. G-93-01-20

REPORT OF THE COMMITTEE ON
REGULATIONS

DAVID C. LONG & REBECCA J. RAVINE - CO-CHAIRPERSONS
LUNSEY, SCHMIDT

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) for the purpose of vacating
a dedicated easement

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

[Handwritten signatures in blue and red ink over the "DO PASS" column]

[Handwritten signature in blue ink over the "DO NOT PASS" column]

DATED: 3-9-93

Sandra E. Kennedy
City Clerk

FW Common Council
(Governmental Unit)To: The News-Sentinel Dr.
P.O. Box 100
Fort Wayne, IN

ALLEN County, Indiana

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

22 lines, 1 columns wide equals 22 equivalent lines
at .33 cents per line\$ 7.26Additional charge for notices containing rule or tabular work
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$ 7.26

DATA FOR COMPUTING COST

Width of single column 12.5 emsNumber of insertions 1Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: Feb 20, 19 93Title: Cindy Gillenwater Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Cindy Gillenwater who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time 2/20/93, the dates of publication being as follows:

Subscribed and sworn to before me this 20th day of Feb, 19 93SHELLEY R. LARUE
Notary Public Whitley County, IN
SHELLEY R. LARUEMy commission expires: March 3, 1994

NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
(BILL NO. G-93-01-20)
Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, March 9, 1993, at 7:00 P.M. (EST) in the Common Council Conference Room 123, City-County Building, One Main Street, Fort Wayne, Indiana, more particularly described as follows:
A 13 foot easement over the previously vacated alley (Declaratory Resolution #1212-88), lying immediately North of Lot #85 in the Original Plat and lying immediately South of Bank Subdivision as recorded in the Plat thereof in the Office of the Recorder of Allen County, Indiana - Councilmanic District #1
All interested parties are invited to appear and be heard.
Fort Wayne Common Council
Sandra E. Kennedy
City Clerk
#119

FW Common Council
(Governmental Unit)To: The Journal-Gazette Dr.

P.O. Box 100

Fort Wayne, IN

ALLEN County, Indiana

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines _____

Head -- number of lines _____

Body -- number of lines _____

Tail -- number of lines _____

Total number of lines in notice _____

COMPUTATION OF CHARGES

22 lines, 1 columns wide equals 22 equivalent lines
at .33 cents per line\$ 7.26Additional charge for notices containing rule or tabular work
(50 percent of above amount) _____

Charge for extra proofs of publication (\$1.00 for each proof in excess of two) _____

TOTAL AMOUNT OF CLAIM

\$ 7.26

DATA FOR COMPUTING COST

Width of single column 12.5 emsNumber of insertions 1Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: Feb 20, 19 93Title: Cindy Gillenwater Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Cindy Gillenwater who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time _____, the dates of publication being as follows:

2/20/93Subscribed and sworn to before me this 20th day of Feb, 19 93Shelley R. Larue
Notary Public - Whitley County, IN
SHELLEY R. LARUEMy commission expires: March 3, 1994

BY LEAH M. RESOLVE
Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, March 9, 1993, at 7:00 P.M. (EST) in the Common Council Conference Room 128, City-County Building, One Main Street, Fort Wayne, Indiana, more particularly described as follows:
A 13 foot easement over the previously vacated alley (Declaratory Resolution #1212-68), lying immediately North of Lot #85 in the Original Plat and lying immediately South of Bank Subdivision as recorded in the Plat thereof in the Office of the Recorder of Allen County, Indiana - Councilmanic District #1
All interested parties are invited to appear and be heard.
Fort Wayne Common Council
Sandra E. Kennedy
City Clerk
#119